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Federal Railroad Administration  
US Department of Transportation

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In relation to your request for our opinion of the FRA regulations "Control of Alcohol and Drug Use" and "Location Requirements for Dispatching of Operations in the United States," we have forwarded the standards for drug and alcohol control for comment to the Office of Transportation Protection and Preventive Medicine.

Regarding the standard that prohibits dispatching of rail operations from outside of the United States and only in exceptional cases when feasible for dispatching of trains to occur from centers located outside of the United States, in Mexico, legislation on this matter states that railroad traffic control centers must invariably be located on domestic territory. This determination was made in light of the potential risk presented for operations when the rail traffic control center is located at a considerable distance from the route of travel, including outside of the country, which may lead to the occurrence of an accident given differences in regulations, terminology, and operating conditions on rail lines, factors which reduce the margin of confidence and protection that a train dispatching center must provide; as well as technical and legal problems at an international level that arise when the personnel that perform the activities of dispatching on foreign soil are not subject to Mexican laws.

For the aforementioned reasons, it is the opinion of this office that the standards issued by the Federal Railroad Administration contain the elements necessary to prevent the occurrence of accidents and incidents on American rail lines and coincide with the regulations in place in our country that were formulated with the intention of preventing the occurrence of accidents in this mode of transportation, as a fundamental factor to achieve safe and operationally efficient rail service, with quality standards of international levels.

Cordially,

Antonio Lozada Bautista